

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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DAVID PRUTCHI and PATRICK J. PAUL  
Junior Party  
(Patent 6,525,986)<sup>1</sup>

v.

KARL M.J. LOFGREN, JEFFREY D. STAI, ANIL GUPTA,  
ROBERT D. NORMAN and SANJAY MEHROTRA  
Senior Party  
(Application 10/785,373)<sup>2</sup>

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Patent Interference No. 105,581 (JL)  
(Technology Center 2800)

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*Before: JAMESON LEE, RICHARD TORCZON and SALLY C. MEDLEY,  
Administrative Patent Judges.*

*LEE, Administrative Patent Judge.*

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<sup>1</sup> Based on Application 09/767,040, filed January 22, 2001. The real party in interest is Intermedics, Inc. Accorded the benefit of Patents 6,208,579, and 5,987,357. Patent 5,987,357 was filed July 30, 1997.

<sup>2</sup> Filed February 23, 2004. The real party in interest is SanDisk Corporation and Western Digital Corporation. Accorded the benefit of Patents 6,715,044, 6,317,812, 6,148,363, 5,806,070, 5,430,859, and Application 08/396,488. Application 08/396,488 was filed March 2, 1995.

**Judgment -- Motions -- Bd. R. 127**

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Prutchi's Motion 1 attacking the patentability of all of Lofgren's claims 40-54 corresponding to the count under 35 U.S.C. § 112, first paragraph, for lack of written description in the specification has been granted in a concurrent paper. It is now time appropriate for entry of judgment against Lofgren. Accordingly, it is

**ORDERED** that judgment as to the subject matter of Count 1 is herein entered against senior party KARL M.J. LOFGREN, JEFFREY D. STAI, ANIL GUPTA, ROBERT D. NORMAN and SANJAY MEHROTRA;

**FURTHER ORDERED** that senior party KARL M.J. LOFGREN, JEFFREY D. STAI, ANIL GUPTA, ROBERT D. NORMAN and SANJAY MEHROTRA is not entitled to claims 40-54 in its involved Application 10/785,373, which are herein finally refused;

**FURTHER ORDERED** that if there is a settlement agreement, the parties should note the requirements of 35 U.S.C. § 135(c) and Bd. Rule 205; and

**FURTHER ORDERED** that a copy of this judgment be placed in the respective involved application or patent of the parties.

Interference 105,581  
Prutchi v. Lofgren

By Electronic Transmission:

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